

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
WILMINGTON DIVISION**

IN RE:

**JANICE FISH HOLDER,

DEBTOR**

**CASE NO. 24-03972-5-DMW
CHAPTER 13**

TRUSTEE'S OBJECTION TO CONFIRMATION OF AMENDED PLAN

COMES NOW S. Troy Staley, the Standing Chapter 13 Trustee in the Eastern District of North Carolina, duly appointed to administer the instant case ("Trustee"), and hereby objects to confirmation of the Chapter 13 Plan ("Plan") filed by Debtor for the following:

1. Debtor has not demonstrated an ability to make all payments under the plan, as required by 11 U.S.C. § 1325(a)(6), in that Debtor has failed to commence and/or maintain timely plan payments.
2. The Plan is not sufficiently funded to pay all claims for which it provides as well as any required distribution to allowed general unsecured claims as required by 11 U.S.C. §§ 1325(a)(1) and 1325(a)(6) ¹ because/due to: Underfunded to pay all needed claims in full. Current plan payments = \$660x4, \$900x56. Subject to any additional modifications which may be necessitated by any pending or future objections, or any claims filed before the bar date which require payment, the Trustee estimates plan payments = \$660x4, \$900x2, \$1090x54.

WHEREFORE, the Trustee prays the Court to enter an Order:

1. Denying confirmation of the proposed Chapter 13 Plan; and,
2. For such other and further relief as the Court may deem just and proper.
3. In the alternative, the Trustee requests a hearing on the matter.

This the 22nd day of April, 2025.

/s/ S. Troy Staley
S. TROY STALEY
Chapter 13 Trustee
N.C. State Bar No. 43229
Post Office Box 1618
New Bern, North Carolina 28563-1618
(252) 633-0074
chapter13@ednc13.com

¹ The Trustee notes that figures contained herein are subject to change based on certain variables including, but not limited to, allowed claims filed, Debtor payment history, and Trustee percentage fee adjustments.

CERTIFICATE OF SERVICE

I, S. Troy Staley, do hereby certify that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on the date indicated herein below, I served copies of the foregoing **TRUSTEE’S OBJECTION TO CONFIRMATION OF AMENDED PLAN** by depositing a copy of the same in a postage-paid envelope with the United States Postal Service or by electronic means, as indicated.

Chad W Hammonds
Attorney for Debtor

(via CM/ECF)

Janice Fish Holder
PO Box 632
Elizabethtown, NC 28337
Debtor

(via U.S. Postal Service)

DATED: April 22, 2025

/s/ S. Troy Staley
S. TROY STALEY
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